

182/37E

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kazutaka MAEDA et al.

Group Art Unit: 3729

Application No.: 10/029,255

Examiner: A. Tugbang

Filed: December 28, 2001

Docket No.: 111319.01

For: APPARATUS AND METHOD FOR MANUFACTURING ROTARY-ELECTRIC
MACHINE STATOR

**PETITION TO RESET A PERIOD OF REPLY
DUE TO NON-RECEIPT OF OFFICE ACTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the statutory period for replying to the Office Action (Restriction Requirement) mailed on November 17, 2004, be reset. It is also respectfully requested that the November 17, 2004 Office Action be remailed with the response period starting on the remailed date.

On January 19, 2005, a routine status check for this application was performed on PAIR to determine the status of application filed on December 28, 2001. The routine status check for this case revealed that an Office Action was mailed on November 17, 2004.

A telephone call was then made to Examiner Tugbang on January 19 to determine why the Office Action had not been received in the offices of Oliff & Berridge, PLC which acts as Applicants' representative. Examiner Tugbang indicated that the Office Action was incorrectly mailed to Pillsbury Winthrop, LLP. Examiner Tugbang forwarded a copy of the Office Action that was sent to Pillsbury Winthrop to the offices of Oliff & Berridge, PLC by facsimile (Appendix A).

Appendix B is a copy of a Submission of Power of Attorney by Assignee revoking all prior powers of attorney and appointing members of Oliff & Berridge, PLC as the attorneys of record and changing the contact information, including the correspondence address, and a

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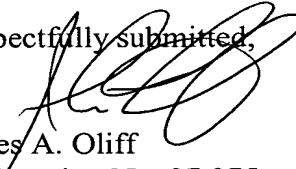
copy of the PTO date-stamped filing receipt, indicating receipt of the Power of Attorney in the PTO.

In view of the foregoing, it is respectfully submitted that: (1) a Power of Attorney by Assignee with a change of address was received by the U.S. Patent and Trademark Office on March 4, 2002; (2) the November 17, 2004 Office Action was incorrectly mailed to the wrong address; and (3) the November 17, 2004 Office Action was not mailed to the offices Oliff & Berridge, PLC and was therefore not received for timely reply.

It is respectfully requested that the statutory period for response be reset from the date of which the new Office Action will be remailed (MPEP §710.06).

As this Petition does not result from any error on the part of the undersigned, it is respectfully submitted that no petition fee is due. However, the U.S. Patent and Trademark Office is authorized to Debit Account No. 15-0461 in the amount necessary to effect this filing should a fee be required.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

John W. Fitzpatrick
Registration No. 41,018

JAO:JWF/ldg

Attachments:
Appendix A
Appendix B

Date: January 25, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--

Appendix A



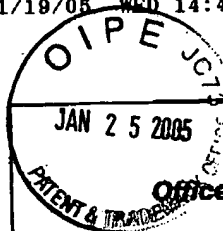
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10029,255	12/28/2001	Kazutaka Maeda	P 283223 31254-USD-Sp/ink	6179
	7990 11/17/2004		EXAMINER	
Intellectual Property Group Pillsbury Winthrop LLP 1600 Tysons Boulevard McLean, VA 22102			TUOHANG ANTHONY D	
			ART UNIT	PAPER NUMBER
			379	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No. 10/029,255	Applicant(s) MAEDA ET AL.	
Examiner A. Dexter Tugbang	Art Unit 3729	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.135(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-13 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/394,526.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-946) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Application/Control Number: 10/029,255
Art Unit: 3729

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-11, drawn to an apparatus for assembling a motor, classified in class 29, subclass 732.
 - II. Claims 12 and 13, drawn to a process of manufacturing a motor, classified in class 29, subclass 596.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions of Groups II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process of Group II can be practiced by hand.
3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Dexter Tugbang whose telephone number is 703-308-7599. The examiner can normally be reached on Monday - Friday 7:00 am - 3:30 pm.


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Art Unit: 3729

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

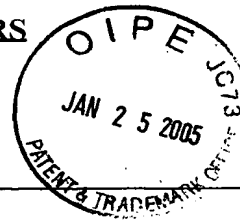
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A. Dexter Tugbang
Primary Examiner
Art Unit 3729

November 15, 2004

Appendix B

PTO RECEIPT FOR FILING OF PAPERS



The following papers have been filed:

Submission of Power of Attorney by Assignee; POA; attachments

Name of Applicant: Kazutaka MAEDA et al.

Serial No.: 10/029,255

Atty. File No.: 111319.01

Title (New Cases): APPARATUS AND METHOD FOR MANUFACTURING ROTARY-ELECTRIC-MACHINE STATOR

Sender's Initials: JAO/kaw

79/28

PATENT OFFICE DATE STAMP



**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kazutaka MAEDA et al.

Application No.: 10/029,255

Filed: December 28, 2001

Docket No.: 111319.01

For: APPARATUS AND METHOD FOR MANUFACTURING ROTARY-ELECTRIC-
MACHINE STATOR

SUBMISSION OF POWER OF ATTORNEY BY ASSIGNEE

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Enclosed is a Power of Attorney by Assignee to be made of record in the above-identified application.

In the event of any nonpayment or improper payment of a required fee, the Director is authorized to charge or to credit OLIFF & BERRIDGE, PLC Deposit Account No. 15-0461 as required to correct the error.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

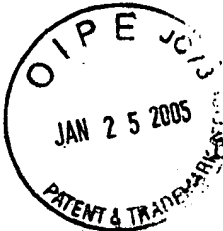
Thomas J. Pardini
Registration No. 30,411

JAO:TJP/kaw

Date: March 4, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER OF ATTORNEY BY ASSIGNEE

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Denso Corporation is the Assignee of the entire right, title and interest in the Patent Application No. 09/394,526 by virtue of an Assignment recorded at 010252/0538. Additionally, Denso Corporation is the Assignee of the entire right, title and interest in the following Patent Application for which an Assignment has been filed, but the original Assignment, indicating the date and reel and frame number of recordation, has not yet been returned:

<u>U.S. Patent Application No.</u>	<u>Filed</u>	<u>Inventors</u>
10/029,255	December 28, 2001	Kazutaka MAEDA et al.

A copy of the Recordation Cover Sheet and executed Assignment as filed for this application is attached hereto.

The undersigned is authorized to act on behalf of Denso Corporation; has reviewed the evidentiary documents in the chain of title; and certifies that to the best of the Assignee's knowledge and belief, title is in the Assignee.

Denso Corporation hereby revokes all prior powers of attorney and appoints the following as attorneys of record with full power of substitution and revocation to prosecute this application and all continuations and divisions thereof, and to transact all business in the Patent and Trademark Office:

James A. Oliff, Registration No. 27,075;
William P. Berridge, Registration No. 30,024;
Kirk M. Hudson, Registration No. 27,562;
Thomas J. Pardini, Registration No. 30,411;
Edward P. Walker, Registration No. 31,450;
Robert A. Miller, Registration No. 32,771;
Mario A. Costantino, Registration No. 33,565;
Stephen J. Roe, Registration No. 34,463;
Joel S. Armstrong, Registration No. 36,430;
Christopher W. Brown, Registration No. 38,025;
Richard E. Rice, Registration No. 31,560; and
Paul Tsou, Registration No. 37,956.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION
SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, P.O. BOX 19928, ALEXANDRIA,
VIRGINIA 22320. TELEPHONE: (703) 836-6400.

February 28, 2002
Date

Masashi Kamiya
Signature

Typed Name: Masashi Kamiya

Title: General Manager

BOX ASSIGNMENTS

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PATENT APPLICATIONS & PATENTS ONLY				
TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS: SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.				
1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):				
1. Kazutaka MAEDA		2. Masaru SUGIYAMA		
3. Makoto TAKAHASHI		4. Youichi KAMAKURA		
5.		6.		
7.		8.		
ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:				
NAME: DENSO CORPORATION				
ADDRESS: 1-1 Showa-cho, Kariya-city, Aichi-pref., 448-8661 JAPAN				
ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
3. NATURE OF CONVEYANCE (DOCUMENT): (Submit herewith <u>only one document</u> for recordation—multiple copies of same Assignment signed by different inventors is one document)				
<input checked="" type="checkbox"/> ASSIGNMENT OF		<input checked="" type="checkbox"/> WHOLE		EXEC. DATE: July 8, 1999
<input type="checkbox"/> CHANGE OF NAME		<input type="checkbox"/> PART INTEREST		
<input type="checkbox"/> SECURITY		<input type="checkbox"/> ACCURATE TRANSLATION		
<input type="checkbox"/> MERGER		<input type="checkbox"/> OTHER:		
EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!) July 8, 1999				
4.5 APPL. NO.(S) OR PAT. NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
A. PAT. APP. NO.(S)		B. PATENT NO.(S)		
series/code/serial no.		inventor		inventor
no.		no.		
NEW APPLICATION 283223				
5. Name & Address of Party to Whom Correspondence Concerning Document Should be Mailed: Pillsbury Winthrop LLP Intellectual Property Group 1600 TYSONS BOULEVARD MCLEAN, VA. 22102			6. NUMBER INVOLVED: APPLNS 1 + PATS 0 = TOTAL 1	
5.5 ATTY DKT: PMS 283223 51254-USDSuS/mk MATTER NO. CLIENT REF.			7. AMOUNT OF FEE ENCLOSED: (Code 581) ABOVE TOTAL x \$40 = \$40.	
8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975			UNDER ORDER NO 30954 .83223	
dup. sheet not required			CLIENT NO. MATTER NO.	
9. STATEMENT AND SIGNATURE. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.				
Signature			10. Total number of pages including this cover sheet, attachments and document (do not file dup. Cover sheet)	
Attorney: Dale S. Lazar			2	
Reg. No. 28872			Date: December 28, 2001	
Atty/Sec: DSL/sdm TEL: (703) 905-2126			FAX: (703) 905-2500	

FILE WITH PTO RETURN RECEIPT (PAT-103A)

Please return signed/recorded to:

Pillsbury Madison & Suto LLP
Intellectual Property Group
Ninth Floor, East Tower
1100 New York Avenue, N.W.
Washington, D.C. 20003-3918

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57254 US-Sus/mk

NONPROVISIONAL

ASSIGNMENT OF NONPROVISIONAL APPLICATION

NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT
NAME(S) OF
INVENTOR(S)

(1) Kazutaka Maeda	(4) Youichi Kamakura
(2) Masaru Sugiyama	(5)
(3) Makoto Takahashi	[] x box if continued on page 2

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT
NAME(S) OF
ASSIGNEE(S)
& ADDRESS(ES)

DENSO CORPORATION
1-1 Showa-cho, Kariya-city,
Aichi-pref., 448-8661 Japan

(hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof; and all resulting patents, known as

TITLE OF
INVENTION

APPARATUS AND METHOD FOR MANUFACTURING ROTARY-ELECTRIC-MACHINE STATOR

for which the undersigned executed an application for Letters Patent of the United States of America:

NOTE ---
(Complete
line A, B and/or C)

- (A) ☒ even date herewith
(B) ☐ on _____
(C) ☐ In U.S. Appln. No. _____ filed _____

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSIGNEE.

AND the undersigned hereby agree(s) to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

NOTE --- The undersigned hereby authorize(s) Pillsbury Madison & Suto, Intellectual Property Group, of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

INVENTOR(S)	DATE SIGNED	WITNESSES
1) <u>Kazutaka Maeda</u> Name: Kazutaka Maeda	<u>July 9, 1999</u> 8 JUL 9 1999	<u>Yuko Hirabayashi</u>
2) <u>Masaru Sugiyama</u> Name: Masaru Sugiyama	<u>July 9, 1999</u> 8 JUL 9 1999	<u>Yuko Hirabayashi</u>
3) <u>Makoto Takahashi</u> Name: Makoto Takahashi	<u>July 9, 1999</u> 8 JUL 9 1999	<u>Yuko Hirabayashi</u>
4) <u>Youichi Kamakura</u> Name: Youichi Kamakura	<u>July 9, 1999</u> 8 JUL 9 1999	<u>Yuko Hirabayashi</u>
5) _____ Name: _____	_____	_____

IF ADDITIONAL INVENTORS, check box ☐ and continue on page 2.

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